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QUESTIONS RELATING TO INFORMATION

Letter dated 10 April 1996 from the Permanent Representative of Yemen to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the Sana'a Declaration on Promoting Independent and Pluralistic Arab Media, adopted at the Seminar held by the United Nations and the United Nations Educational, Scientific and Cultural Organization (UNESCO) at Sana'a from 7 to 11 January 1996.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 87 of the preliminary list.

(Signed) Abdalla S. AL-ASHTAL
Ambassador
Permanent Representative

* A/51/50.

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Annex

[Original: Arabic, English and French]

THE SANA'A DECLARATION ON PROMOTING INDEPENDENT AND PLURALISTIC ARAB MEDIA

We, the participants in the United Nations/United Nations Educational, Scientific and Cultural Organization Seminar on Promoting Independent and Pluralistic Arab Media, held in Sana'a, Yemen, from 7 to 11 January 1996;

Bearing in mind Article 19 of the Universal Declaration of Human Rights, which states that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media, and regardless of frontiers";

Recalling United Nations General Assembly Resolution 59 (I) of 14 December 1946, which states that freedom of information is a fundamental human right, and General Assembly Resolution 45/76 A of 11 December 1990 on information in the service of humanity;

Recalling Resolution 104 adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) at its twenty-fifth session in 1989, focusing on the promotion of "the free flow of ideas by word and image at international as well as national levels";

Recalling also resolution 4.3 adopted by the General Conference of UNESCO at its twenty-sixth session "recognizing that a free, pluralistic and independent press is an essential component of any democratic society", and inviting the Director-General "to extend to other regions of the world the action ... to encourage press freedom and to promote the independence and pluralism of the media";

Further recalling United Nations General Assembly decision of 20 December 1993 on the observance of World Press Freedom Day on 3 May;

Noting with satisfaction resolution 4.6 of the twenty-eighth session of the General Conference of UNESCO (1995), which stressed "the outstanding importance of", and endorsed, the Declarations adopted by the participants of the Seminars, held in Windhoek, Namibia (29 April - 3 May 1991), in Almaty, Kazakstan (5 - 9 October 1992), and in Santiago, Chile (2 - 6 May 1994), and which expressed its conviction that "the joint UNESCO/United Nations... regional Seminar on Promoting Independent and Pluralistic Arab Media to be held in Sana'a, Yemen in early 1996 will contribute to creating conditions that will enable pluralistic media to develop and participate effectively in the democratization and development processes in the Arab region;"

Stressing the growing role of the International Programme for the Development of Communication (IPDC) of UNESCO, whose Intergovernmental Council decided, at its February 1992 session, to give priority to projects which seek to reinforce independent and pluralistic media,

Noting the vital need and the importance of access by women to free expression and decision-making in the field of media;

Noting with appreciation the statements made at the opening of the Seminar by the United Nations Assistant Secretary General for Public Information on behalf of the Secretary General and the Assistant Director General for Communication, Information and Informatics of UNESCO on behalf of the Director General;

Expressing our sincere appreciation to the United Nations and UNESCO for organizing the Seminar,

Expressing also our sincere appreciation to all the intergovernmental, governmental and non-governmental bodies, organizations, agencies and foundations which contributed to the United Nations/UNESCO effort to organize the Seminar;

Expressing our gratitude to the Government, people, and media Organizations and professionals of the Republic of Yemen for their kind hospitality which facilitated the success of the Seminar

* * *

Fully support and express our commitment to the principles of the Declaration of Windhoek, acknowledging its crucial importance for promoting free, independent and pluralistic print and broadcast media in all regions of the world and *seek* practical application of the principles enshrined in this Declaration,

Welcome the world-wide trend towards democracy, freedom of expression and press freedom, *recognize* efforts by a number of Arab countries in this direction and *urge* all Arab states to participate in this historic process,

Believe that the advent of new information and communication technologies contributes to genuine cooperation, development, democracy and peace; *acknowledge*, however, that these technologies can be used to manipulate public opinion; and *note* that some governments do exploit the perceived threat of such technologies to justify curtailing of press freedom;

Deplore that, in the Arab World, journalists, publishers and other media practitioners continue to be victims of harassment, physical assault, threats, arrest, detention, torture, abduction, exile and murder. They are also subject to economic and political pressures, including dismissal, censorship, curbs on travel as well as passport withdrawals or visa denials. In addition to limitations on the free flow of news and information, and on the circulation of periodicals within countries and

across national borders, the media is also subject to restrictions in the use of newsprint and other professional equipment and material. Licensing systems and abusive controls limit the opportunity to publish or broadcast;

Believe that arrest and detention of journalists because of their professional activities are a grave violation of human rights and *urge* Arab governments that have jailed journalists for these reasons to release them immediately and unconditionally. Journalists who have had to leave their countries should be free to return and to resume their professional activities. Those who have been dismissed abusively should be allowed to regain their positions.

Declare that

Arab States should provide, and reinforce where they exist, constitutional and legal guarantees of freedom of expression and of press freedom and should abolish those laws and measures that limit the freedom of the press; government tendencies to draw limits/ "red lines" outside the purview of the law restrict these freedoms and are unacceptable;

The establishment of truly independent, representative associations, syndicates or trade unions of journalists, and associations of editors and publishers, is a matter of priority in those Arab countries where such bodies do not now exist. Any legal and administrative obstacles to the establishment of independent journalists' organizations should be removed. Where necessary, labour relations laws should be elaborated in accordance with international standards;

Sound journalistic practices are the most effective safeguard against governmental restrictions and pressures by special interest groups. Guidelines for journalistic standards are the concern of the news media professionals. Any attempt to set down standards and guidelines should come from the journalists themselves. Disputes involving the media and/or the media professionals in the exercise of their profession are a matter for the courts to decide, and such cases should be tried under civil and not criminal codes and procedures;

Journalists should be encouraged to create independent media enterprises owned, run and funded by the journalists themselves and supported, if necessary, by transparent endowments with guarantees that donors do not intervene in editorial policies;

International assistance in Arab countries should aim to develop print and electronic media, independent of governments in order to encourage pluralism as well as editorial independence. Public media should be supported and funded only when they are editorially independent and where a constitutional, effective freedom of information and expression and the independence of the press are guaranteed;

State-owned broadcasting and news agencies should be granted statutes of journalistic and editorial independence as open public service institutions. Creation of independent news agencies and private and/or community ownership of broadcasting media including in rural areas should also be encouraged;

Arab governments should cooperate with the United Nations and UNESCO, other governmental and non-governmental development agencies, organizations and professional associations, in order to:

(I) enact and/or revise laws with a view to: enforcing the rights to freedom of expression and press freedom and legally enforceable free access to information; eliminating monopoly controls over news and advertising; putting an end to all forms of social, economic or political discrimination in broadcasting, in the allocation of frequencies, in printing, in newspaper and magazine distribution and in newsprint production and allocation; abolishing all barriers to launching new publications and any form of discriminatory taxation;

(ii) initiate action to remove economic barriers to the establishment and operation of news media outlets, including restrictive import duties, tariffs and quotas for such things as newsprint, printing equipment, typesetting and word processing machinery and telecommunication equipment, and taxes on the sale of newspapers or other restrictions on the public's access to news media,

(iii) improve and expand training of journalists and managers, and other media practitioners, without discrimination, with a view to upgrading their professional standards, also by the establishment of new training centres in the countries where there are none, including Yemen

Seek the assistance of national, regional and international press freedom and media professional organizations and other relevant NGOs to establish national and regional networks aimed at monitoring and acting against violations of free expression, to create data banks and to provide advice and technical assistance in computerisation as well as in new information and communication technologies with the understanding that UNDP, IPDC and other development partners would consider these needs to be a major priority;

Request UNESCO National Commissions of the Arab States to help in organizing national and regional meetings to enhance press freedom and to encourage creation of independent media institutions.

The international community should contribute to the achievement and implementation of this Declaration.

This Declaration should be presented by the Secretary-General of the United Nations to the General Assembly, and by the Director-General of UNESCO to the General Conference, for follow-up and implementation.